



## Plan Endorsement Public Notice Requirements for Municipal Petitioners

The new Plan Endorsement Process includes three standards for public notice that petitioners must satisfy depending on the event. Two of these standards were contemplated in the original Plan Endorsement Process and have been refined and clarified in the new process. The first standard is the Open Public Meetings Act<sup>1</sup> which applies to all public meetings held by a public body having decision making authority (i.e., planning board, governing body). Municipalities are familiar with this form of notice. The second standard is based on and similar to the requirements for hearings described in the Municipal Land Use Law relating to amendments to Master Plans. The third standard is new and is based on providing maximum advertisement for workshops relating to the new Visioning Process and requirements of new plan endorsement.

### Public Meetings

**Events.** Petitioners are required to provide public notice in accord with the Open Public Meetings Act for the following events:

- Appointment of the Advisory Committee
- Presentation and Adoption of the Self-Assessment Report
- Presentation and Adoption of Annual Monitoring Reports

**Requirements.** Written advance notice of at least 48 hours, giving the time, date, location, and to the extent known, the agenda of any regular, special or rescheduled meeting. The notice must state whether formal action may be taken. It shall be prominently posted in at least one public place reserved for such or similar announcements, mailed, telephoned, telegraphed or hand delivered to at least two newspapers designated by the public body to receive such notices. The newspapers must have the greatest likelihood of informing the public within the area of jurisdiction of the public body and one must have been designated by the public body as the official newspaper. The notice must be filed with the clerk of the municipality.

**Note:** Proof of public notice must be provided to the Office of Smart Growth including copies of: newspaper advertisements for the meeting, minutes from the meeting relating to the event and resolutions certified by the clerk for any formal action taken at the meeting relating to plan endorsement.

### Public Hearings

The hearing requirements<sup>2</sup> apply to the following events:

- Consideration and Adoption of Vision Statement by planning board and governing body
- Consideration and Adoption of Action Plan and MOU by planning board and governing body

<sup>1</sup> N.J.S.A. 10:4-6 *et seq.*

<sup>2</sup> Proposed rules at: N.J.A.C. 5:85-1.7(f)

- Consideration and Adoption of Planning Implementation Agreement by governing body
- Consideration and Adoption of Petition to Amend Action Plan by planning board and governing body

**Requirements.** The public notice shall be provided at least 10 days in advance of the hearing and provide the time, date, location, and purpose of the hearing. It shall also specify that the public can comment orally at the hearing or submit comments within a specified time period.

Petitioners are required to provide public notice for hearings by:

- publishing a standard legal advertisement in each of petitioner's official newspapers;
- providing written notice to the mayor, clerk and planning board of any municipality that adjoins the municipality required to provide the public notice;
- providing written notice to the board of chosen freeholders, county executive or administrator, if any, county clerk and county planning board of any county that adjoins the municipality required to provide the public notice;
- providing written notice to the Executive Director of the Office of Smart Growth; and
- providing written notice to the municipal planning board, board of education, environmental commission, if any and each authority, board, commission, committee, and department involved in economic development, land use, infrastructure or resource protection in the municipality and in any municipality adjoining it.

**Note:** written notice may be made by either hard copy or electronic mail. Proof of public notice must be provided as described above. In addition, proof must also be submitted that the additional written notice requirements to area governing bodies and appointed boards, have also been met.

### **Visioning Workshops**

This standard requires that petitioners attempt to engage the public. Promotional efforts apply to the two or more public workshops that are required as part of the Visioning Process that lead up to and include development of a Vision Statement.

**Requirements.** Petitioners are required to use each of the following promotional efforts, to the extent they are available:

- Notice on the official municipal website
- Publication of articles in local newspapers
- Notice on locally broadcast cable TV station(s)
- Press Release issued by the Advisory Committee, at least 10 days prior to each workshop and public hearing regarding the visioning process and development of a vision statement
- Written materials (i.e., attention getting fliers) posted in municipal buildings, schools and local businesses

**Note:** proof of public notice must be provided to the Office of Smart Growth including copies of: website notices, a description of cable TV notice, newspaper advertisements, and copies of posted written materials including a description of where the materials were posted.

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April 2008